

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

Case No. 09-20612

ALIREZA A. KORDESTANI,

Honorable Sean F. Cox

Defendant.

**ORDER FOR PSYCHIATRIC
OR PSYCHOLOGICAL EXAMINATION AND REPORT**

On February 2, 2010 Alireza Kordestani (“Defendant”) pleaded guilty to falsifying an application for a passport in violation of 18 U.S.C. § 1542.

Defendant was scheduled to be sentenced on July 9, 2010. Prior to sentencing, defense counsel asked the court to consider ordering a psychiatric evaluation of Defendant. The Government’s attorney and the probation officer concurred.

18 U.S.C. § 4244 (a) provides that prior to a defendant’s sentencing, a court may order a hearing to determine the present mental condition of a convicted defendant.

Additionally, 18 U.S.C. § 4244 (b) provides that a “court may order a psychiatric or psychological examination of the defendant to be conducted and that a psychiatric or psychological report be filed with the court, pursuant to the provisions of 4247(b) and (c).

Accordingly, the Court **ORDERS**, pursuant to 18 U.S.C. §§ 4244 and 4247 that:

- (1) The examination must include a psychiatric or a psychological examination of Defendant by a licensed or certified psychiatrist or psychologist;
- (2) The examination shall be conducted as soon as reasonably possible, but not to exceed thirty

days;

(3) Defendant shall be transported to a suitable facility that is located closest to the Eastern District of Michigan.

(4) A report must be prepared and filed with this Court, with copies provided to counsel for defendant and the government, which will include:

- a. defendant's history and present symptoms, if any;
- b. a description of the psychiatric, psychological or medical tests that were employed and their results;
- c. the examiner's findings;
- d. the examiner's opinions as to diagnosis, prognosis, as to whether Defendant is suffering from a mental disease or defect as a result of which he is in need of custody for care or treatment in a suitable facility, and any recommendation the examiner may have as to how the mental condition of the defendant should affect the sentence.

IT IS SO ORDERED.

S/Sean F. Cox
Sean F. Cox
United States District Judge

Dated: July 9, 2010

I hereby certify that a copy of the foregoing document was served upon counsel of record on July 9, 2010, by electronic and/or ordinary mail.

S/Jennifer Hernandez
Case Manager